

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Suffolk

**Local Law No. 24 of the Year 2018, A Local Law to Safeguard the Privacy  
of County Employee Information**

Be it enacted by the County Legislature of the

(Name of Legislative Body)

County of Suffolk as follows:

FILED  
STATE RECORDS  
NOV 02 2018  
DEPARTMENT OF STATE

### **Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the organization of laborers in New York State dates back over 100 years. This movement served as a means to improve safety standards and working conditions for workers following the tragic fire at the Triangle Shirtwaist Factory.

This Legislature also finds and determines that the labor movement, spearheaded by organized unions, has been a driving force in protecting workers' rights, improving health and safety standards in the workplace and obtaining financial and humanitarian benefits for workers.

This Legislature further finds and determines that since the inception of the organized labor movement, countervailing forces have worked to derail union representation of employees and dissuade employees from obtaining and retaining such representation.

This Legislature finds that the United States Supreme Court recently held in *Janus v. AFSCME* that workers are not required to finance union activity by the deduction of dues payments from their paychecks.

This Legislature determines that the *Janus* decision will have a significant and deleterious effect on the bargaining position of labor unions and, by extension, undermine the protections they provide for the health and safety of the workforce.

This Legislature also finds that, given the *Janus* decision, it is likely that there will be attempts to obtain the personal information of labor-represented employees with the intent to entice such employees to abandon their support of their labor representatives and thereby undermine unions.

This Legislature further finds that executive orders have been issued by Governor Cuomo and the County Executive to protect the personal information of public sector employees who report to them at the State and County level, respectively.

This Legislature also determines that executive orders issued by the County Executive are of uncertain duration and do not automatically apply to the employees of other County elected officials.

This Legislature further determines that all County workers should have their personal information protected from outside forces.

Therefore, the purpose of this law is to prohibit the disclosure of personal information of County employees.

## **Section 2. Employee Information Distribution Standards.**

- A. In accordance with New York Civil Service Law § 208(4)(a), within thirty days of a Suffolk County employee first being employed or reemployed by Suffolk County, or within thirty days of being promoted or transferred to a new County position subject to a new bargaining unit, Suffolk County "shall notify the employee organization, if any, that represents that bargaining unit of the employee's name, address, job title, employing agency, department or other operating unit, and work location."
- B. No Suffolk County officer or employee shall disclose the home address(es), personal telephone number(s), personal cell phone number(s) or personal email address(es) of a public employee, except to the extent provided for in accordance with New York Civil Service Law, or to the extent compelled to do so by lawful service of process, subpoena, court order, or as otherwise required by law.
- C. The restrictions of this law shall not apply to work-related, publicly available information, such as an employee's title, salary and dates of employment.

## **Section 3. Applicability.**

This law shall apply to all employees employed by the County on or after the effective date of this law.

## **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

### **Section 6. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ in accordance with the applicable

(Name of Legislative Body)

Provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. 24 of 2018 of the (County) of Suffolk was duly passed by the

County Legislature

(Name of Legislative Body)

on October 2, 2018, and was approved by the

County Executive

(Elective Chief Executive Officer\*)

and was deemed duly adopted on September 24, 2018 in accordance with the applicable provisions of law.

**3. (Final adoption by referendum).**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of \_\_\_\_\_ of the County of Suffolk was duly passed by the Suffolk County Legislature on \_\_\_\_\_.

(Name of Legislative Body)

and was approved by the County Executive on \_\_\_\_\_.

(Elective Chief Executive Officer)

Such local law was submitted to the people by reason of a mandatory referendum; and received the affirmative vote of a majority of the qualified electors voting thereon at the general election held on \_\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum).**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of \_\_\_\_\_ of the (County) of Suffolk was duly passed by the \_\_\_\_\_

County Legislature on \_\_\_\_\_ and was (approved)

(Name of Legislative Body)

by the Suffolk County Executive Steven Bellone on \_\_\_\_\_ Such local law was submitted

(Elective Chief Executive Office)

to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

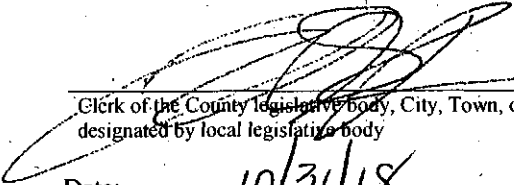
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of \_\_\_\_, of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, \_\_\_\_\_ became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, \_\_\_\_\_ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2, above.

  
Clerk of the County legislative body, City, Town, or Village Clerk or officer  
designated by local legislative body

Date: 10/31/18

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF Suffolk

I, the undersigned, hereby certify that the foregoing local law contains the correct text and the all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
Signature

County Attorney  
Title

County  
of Suffolk

Date: 10/29/18